<u>REMARKS</u>

This application has been carefully reviewed in light of the Office Action dated August 11, 2008. Claims 1, 3, 4, 11, 13, 14, 21, 23, 24 and 31 to 33 are pending in the application, of which Claims 1, 11 and 21 are independent. Reconsideration and further examination are respectfully requested.

Claims 1, 4, 11, 14, 21, 24 and 31 to 33 have been rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 7,061,632 (Livingston). Claims 3, 13 and 23 were rejected under 35 U.S.C. § 103(a) over Livingston in view of WO 2002/82362 (Petz; U.S. Publication No. 2004/0187087 used in lieu of English translation). Reconsideration and withdrawal of this rejection are respectfully requested.

The present invention concerns setting the conditions for color printing in a document. In one aspect of the invention, a color mode to be applied to pages contained in the document data can be defined using an entire color mode and a partial color mode. The color mode defined by the partial color mode is applied to a predetermined portion of the document, such as a predetermined page range, while the color mode defined by the entire color mode is applied to the remaining pages outside of the predetermined portion. The entire color mode and the partial color mode commonly define the color mode of every page. In the other words, the entire color mode defines a default color mode, and the partial color mode defines a preferential color mode.

Turning to specific claim language, amended independent Claim 1 is directed to an information processing apparatus which includes a first display unit configured to display a first setting screen to set an entire color mode defining a color mode to be applied to the entire document data; a second display unit configured to display a second setting screen to set a partial

color mode defining the color mode to be applied to a predetermined unit of the document data, wherein the second setting screen is different from the first setting screen; and a print data generating unit configured to generate print data so that a printer prints a printed material on which the color mode defined by the partial color mode is applied to the predetermined unit and the color mode defined by the entire color mode is applied to the remaining portion of the document data to which the partial color mode is not applied when the entire color mode is set in accordance with an instruction input via the first setting screen displayed by the first display unit and the partial color mode is set in accordance with an instruction input via the second setting screen displayed by the second display unit.

Applicant respectfully submits that the applied reference, namely Livingston, is not seen to disclose or to suggest all of the features of independent Claim 1. In particular, Livingston is not seen to disclose or to suggest at least the features of: displaying a first setting screen to set an entire a color mode defining a color mode to be applied to a the entire document data; displaying a second setting screen to set a partial color mode defining the color mode to be applied to a predetermined unit of the document data, wherein the second setting screen is different from the first setting screen; and generating print data so that a printer prints a printed material on which the color mode defined by the partial color mode is applied to the predetermined unit and the color mode defined by the entire color mode is applied to the remaining portion of the document data to which the partial color mode is not applied when the entire color mode is set in accordance with an instruction input via the first setting screen and the partial color mode is set in accordance with an instruction input via the second setting screen.

In the present Office action, it is contended that, according to the disclosure of Livingston, "when a user selects a mode for on class of pages, i.e. whole document, and then

goes on to select a different mode for another set of pages, i.e. even pages, the even pages would inherently have the setting of the whole page and the even pages." Applicant respectfully disagrees with such a characterization of Livingston as the data structure for each page in Livingston includes a variable representing the possible features associated with each page, such as a watermark feature. (See Livingston, Column 9, Lines 12 to 16). As such, a of Livingston can only have one variable value for a feature. Accordingly, for example, assuming that an operator selects whole pages as a range to which the watermark feature is applied and subsequently selects even pages as a range of pages to which a colored text feature is applied. The even pages would then have the watermark set for the whole pages with the color mode set for the even pages. In contrast, assume that an operator selects whole pages as a range to which the watermark feature for overlapping a text string on the selected pages is applied and subsequently selects even pages as a range to which the watermark feature for overlapping another text string is applied. In such case, the even pages would not have both the watermarks set for the whole pages and the even pages but have only the watermark set at last time, that is the watermark will be set for the even pages. This is because Livingston only provides a single variable value for each feature associated with a page.

Therefore, while Livingston may disclose that, when a user selects a feature for a first set of pages (for example, whole pages), and then goes on to select a different feature for a second set of pages (for example, even pages) contained in the first set, the second set of pages will have the setting of both features. However, Livingston fails to disclose or suggest that when a user selects a feature for the first set of pages, and then goes on to select the same feature for the second set of pages, the second set has both settings.

In contrast to Livingston but in accordance with the present invention, a color mode to be applied to pages contained in the document data can be defined using the entire color mode setting and the partial color mode setting. The color mode defined by the partial color mode is applied to a predetermined portion of the document, such as a predetermined page range, and the color mode defined by the entire color mode is applied to the remaining pages outside of the predetermined portion of the document. By using the entire color mode and the partial color mode together, it is possible to define the color mode of every page. In the other words, the entire color mode defines a default color mode, and the partial color mode defines a preferential color mode. Such a technical effect cannot be achieved using the limited page data structure disclosed in Livingston.

In addition, an apparatus in accordance with claimed invention uses a first display screen and a second display screen to set the color modes, a feature which is not at all disclosed or suggested in Livingston. Accordingly, a user can confirm the setting of the entire color mode and the partial color mode by displaying the first setting screen and the second setting screen, respectively. However, Livingston discloses only one setting screen for setting each feature. For example, the watermark feature is set using the window 300 (of Fig. 3) independently of a page range to which the watermark feature is to be applied, that is, both the watermark feature setting for whole document and the watermark feature setting for even page are set by using same window 300. Therefore, Livingston fails to disclose or suggest the use of different screens for setting an entire color mode and a partial color mode. By using the two different setting screens of the present invention, the entire color mode and the partial color mode can be set and confirmed, independently. Such a technical effect cannot be achieved in a system in accordance with Livingston because, if a user tries to set the same feature to different page range, the former

setting would be ignored and the later setting would be used. Therefore, only one setting screen is required to set a feature in Livingston.

In light of these deficiencies in Livingston, Applicant submits that Claim 1 is now in condition for allowance and respectfully requests same.

Amended independent Claims 11 and 21 are directed to a print data generating method and a computer-readable medium, respectively, substantially in accordance with the apparatus of Claim 1. Accordingly, Applicant submits that Claims 11 and 21 are also now in condition for allowance and respectfully requests same.

The other pending claims in this application are each dependent from the independent claims discussed above and are therefore believed allowable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each dependent claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

CONCLUSION

No claim fees are believed due; however, should it be determined that additional claim fees are required, the Director is hereby authorized to charge such fees to Deposit Account 06-1205.

Applicant's undersigned attorney may be reached in our Costa Mesa, CA office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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